New-York Daily Tribune.

VOL. XXV....No. 7,774. NEW-YORK, THURSDAY, MARCH 8, 1866. PRICE FOUR CENTS.

# FROM WASHINGTON.

## OUR SPECIAL DISPATCHES.

## CONGRESSIONAL.

## THE REVENUE ACT.

## REPRESENTATION.

## Speeches of Senators Sumner and Doolittle.

## RECIPROCITY.

## Speeches of Messrs. Kelley of Pennsylvania, Wentworth of Illinois, Brooks of New-York, and Many Other Members.

WASHINGTON, Wednesday, March 7, 1866.

### SENATOR WILSON'S RESOLUTION.

Senator Wilson of Massachusetts, in the Senate to-day, offered a resolution, which was adopted, directing the Judiciary Committee to inquire what legislation is necessary to protect officers of the army of the United States from arrest and prosecution by civil courts for acts done while in the United States service in compliance with orders from their superior officers. The Senator said some action must be taken to protect these officers. He learned that in some of the States, particularly in Kentucky and Tennessee, a large number of such suits had been commenced again and prosecuted. Major-Gen. Terry had informed him a few days ago, while in the city upon official business, that he had been served with papers in an action brought against him and had been put to considerable expense already in employing counsel and preparing for a defense.

### THE DAVIS EULOGY.

Mr. Anthony, from the Committee on Printing, reported a resolution, which was adopted, directing that 6,000 copies of the very able address of Senator Cresswell upon the life and character of the Hon. Henry Winter Davis, be printed for the use of the Senate.

### CHOLERA.

On motion of Mr. Sprague of Rhode Island, a resolution was adopted directing the Committee on Foreign Affairs to report a bill for the appointment of a commission of two medical men, one to be an officer of the army, and one a civilian, to examine the subject of cholera preventives, and to attend the Cholera Congress in Europe.

### SENATOR DAVIS'S PROPOSITION.

After considerable discussion, participated in by Senators Trumbull and Yates of Illinois, Davis of Kentucky, and others, the resolution offered by Mr. Davis a day or two since, calling for a Committee to investigate cotton frauds, was made the special order for to-morrow, at 12½ o'clock p. m.

### MR. SUMNER'S SPEECH.

Mr. Sumner took the floor about 1 o'clock in opposition to the representation amendment. Mr. Doolittle followed, speaking also against the amendment, and rehearsing, with great apparent self-satisfaction, his own peculiar views as expressed by him in his recent speech at New-Haven, Conn., repeating, among other preposterous, absurd, and untrustworthy statements, the charge that, during the late war, 1,000,000 negroes had died and been killed in the South.

### IN THE SUPREME COURT,

Ex-Attorney-Gen. Black, counsel for the petitioner in the Indiana conspiracy case, concluded his argument, and Gen. Butler opened the case for the Government, speaking very effectively and powerfully until the adjournment of the Court for the day. He will occupy most of the day to-morrow, and will be followed by Mr. Stansberry of Ohio and Attorney-General Speed.

THE NATIONAL EQUAL SUFFRAGE ASSOCIATION met last evening, when the Hon. W. D. Kelly of Pennsylvania was elected President, vice Sayles J. Brown, resigned. The Hon. Michael Hahn of Louisiana was elected Vice-President, and J. S. Brown Corresponding Secretary. The Association is steadily enlarging its sphere of usefulness, and is daily forwarding to all parts of the country public documents calculated to aid in the ultimate success of its great object.

### MUTILATING THE WHITE HOUSE.

The mania for destroying the various articles of furniture in the Executive Mansion for the purpose of securing mementoes still seems to be unabated. A man and woman were to-day arrested for cutting the curtain in the East room, and taken before the Superintendent of Police, who holds the gentleman for a further investigation.

### INTERNAL REVENUE.

The receipts from internal revenue to-day were $1,058,187.

### LONDON HORTICULTURAL EXHIBITION.

The Secretary of State has received through Minister Adams intelligence that an Industrial Exhibition of Horticulture will be held in London, commencing on the 22d, and ending on the 26th of May next. The citizens of the United States are invited to compete in the exhibition. The prizes amount to over $13,000, and the Queen and the Prince of Wales have given their official patronage to the Exhibition. The papers relative to the details have been referred to the Commissioner of Agriculture.

### AMERICAN SHIP LOST.

The Consul of the United States at Victoria, Vancouver's Island, announces to the Department of State under date of January 2, the wreck of the American ship William Tell, of Boston. She was wrecked on the 23d of December. The William Tell was of 1,500 tuns burden, and bound for the Cape of Good Hope.

### TRANSFER OF REGISTERS.

Over 800 American vessels were assigned during the Rebellion to Englishmen, and sailed under the English flag for the purpose of escaping capture by Rebel privateers.

### HOUSE PROCEEDINGS.

In the House Mr. Elliot moved to continue in force the present Freedmen's Bureau, which was referred to the Committee on that subject. Mr. Stevens endeavored to gain reimbursement for his State for his money expended for war purposes. Sundry matters of local legislation were reported from the District Committee, including an appropriation of $25,000 to be distributed to sufferers from the late Arsenal explosion here, which was passed. The reciprocity measure was taken up and discussed in detail, with the growing conviction that it cannot possibly pass.

### EVIDENCE BEFORE THE RECONSTRUCTION COMMITTEE.

Gov. Johnson of Georgia testified before the Reconstruction Committee to-day.

### NOMINATION REJECTED.

The confirmation of Marshall Bonifant of Md. was rejected in Executive session yesterday.

### GEN. GRANT

arrived here in the early morning train, so overwhelmed by the sudden and terrible accident to Col. Bowers, to whom he was very tenderly attached that he could scarcely tell why he came, and immediately returned, accompanied by several members of his staff, to attend to the funeral at West Point.

### PARDONS.

The Attorney-General is engaged in making up a report to Congress of the number of persons pardoned under the 13th exception of the President's proclamation, generally known as the $20,000 clause.

### SENATOR WILSON'S SPEECH.

The National Executive Committee have ordered 50,000 copies of Senator Wilson's speech.

### A "PROTECTION" DOCUMENT.

Fifty thousand of Mr. Grinnell's yesterday's speech will be printed and circulated by the Home Labor League.

### CONFIRMATIONS.

Several thousand more military confirmations await Senatorial action, and are first to come up in Executive session.

### AN IMPORTANT ADMISSION.

Representative Raymond admitted to-day that he personally sent the telegram, under cover of his Washington correspondent, charging the exaggeration of Mr. Seward's remarks. It is probable that Mr. Scofield will rise to a question of privilege to ascertain whether the member designed to impute to him "Flagrant and malicious perversion." Judge Bingham of Ohio also deems the imputation cast upon him by Mr. Raymond, of having invited and braved the President's Veto, published in the same paper as above, as unworthy a fellow-member.

### FENIA.

The Fenian meeting here to-night, so far as numbers and enthusiasm were concerned, was a great success. It was presided over by Richard Callahan, District Centre, who, after reading a letter from John O'Mahony and indulging in a few remarks pertinent to the occasion, introduced Geo. Francis Train, who for nearly an hour held forth in favor of Irish independence in his usually entertaining strain. He believed in English neutrality, and recommended as one means of securing the disenthrallment of Ireland the fitting out in America of Fenian cruisers to prey upon the commerce of England. Mr. Train closed by reciting a Fenian parody on Longfellow's "Excelsior," which was received with great applause. He was followed by J. J. Rogers of New-York, who believed that a war between England and the United States was the only remedy for the healing of sectional animosities between the North and South. Senator McDougal being discovered on the stand, was loudly called for, and responded in a brief address, in which he pledged his trusty sword and faithful steed as a contribution to the Fenian loan. The Rev. Father Curley, Senator Wright of N. J. and Prof. Brophy followed in spirited addresses, after which the meeting adjourned amidst the greatest enthusiasm. During his speech, Mr. Train introduced a resolution asking Congress to guarantee the payment of an Irish loan of $50,000 as an amendment to the Mexican loan bill, after which the following resolutions were submitted and unanimously adopted:

*Whereas*, The British Government, which has so long and so cruelly oppressed Ireland and is now exiling Fenians to long terms of punishment in its penal colonies beyond the sea, for no other crime than love of country, derives its military, financial and political power wholly from its gigantic system of manufactures.

*Resolved*, That the Fenians in the United States enter into a solemn league and covenant for themselves, their wives, their sons and their daughters, not to buy, wear or consume any article of British manufactures until Ireland is free.

*Resolved*, That the Fenians in the United States urgently call upon their Representatives in Congress to see that the revenue laws of the United States are so framed as to discourage the importation of British goods and exclude forever if possible from the benefit of the American markets the merchants, manufacturers and capitalists of the wicked Government, whose tyranny has forced the Irish in America to expatriate themselves from the land of their birth and their love.

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To the Associated Press.

WASHINGTON, Wednesday, March 7, 1866.

### IMPORTATION OF CATTLE AND HIDES.

The Secretary of the Treasury has issued a circular to Customs officers and officers and agents of the United States in foreign countries, directing their attention to the amendatory act relating to the importation of foreign cattle and hides, a copy of which is appended to the circular, and says: "In accordance with its provisions, I have determined to suspend its operations in regard to importations from countries other than those of Europe, as the cattle disease does not seem to be prevalent elsewhere.

"Customs officers will take care that no neat cattle, nor hides of neat cattle, coming directly or indirectly from any part of Europe are landed on any pretext whatever, from and after the 1st day of May, 1866. Customs officers will require that the Consular certificate accompanying each invoice of neat cattle and of the hides of neat cattle, excepting those from Canada and the other British-American Provinces shall state that the cattle disease is not and has not been recently prevalent in the country from which the importation comes, and that he is satisfied that such importation is free from disease; and until the 1st of May, and in the absence of such Consular statement, on any invoice arriving after that date, report each case to this Department and await its instructions."

It will be seen that under this regulation the importation of cattle and hides from Canada and the other British North American Provinces is unrestricted, it being understood that the Provincial authorities have adopted measures to prevent their introduction from Europe.

### TRANSFER OF GEN. COOKE.

An order has been issued by order of Lieut.-Gen. Grant, as follows:

Brig.-Gen. P. St. George Cooke, United States Army, having been assigned to the command of the Department of the Platte, is relieved from duty as Superintendent of the General Recruiting service, and will turn over the records thereof to Brevet Brig.-Gen. D. Butterfield, Colonel Fifth Infantry, who is appointed Superintendent in his place.

### MILITARY DEPARTMENT.

An order has also been issued by order of the President of the United States as follows: 1. The present Military Department of the Missouri will be divided in two parts, one called the Department of the Missouri, to be commanded by Maj.-Gen. John Pope, Headquarters at Fort Leavenworth, Kansas, and the other to be called the Department of the Platte, to be commanded by Brig.-Gen. P. St. George Cooke, United States Army, Headquarters at Omaha, Nebraska.

2. Major-Gen. W. T. Sherman, commanding the Division of the Mississippi, will designate the limits of the dew departments and report the same to the Adjutant-General of the Army.

### GEN. MEIGS'S PAMPHLET.

Quartermaster-Gen. Meigs has issued a phamplet entitled "The Martyrs who for our Country gave up their Lives in the Prison Pens in Andersonville, Georgia," containing the names of those whose remains are interred in the cemetry near that place.

### THE PENNSYLVANIA REIMBURSEMENT.

The bill introduced by Representative Stevens to-day to reimburse Pennsylvania for moneys advanced by the State, under promise of repayment, appropriates $900,000.

# XXXIXTH CONGRESS.

## FIRST SESSION.

SENATE....WASHINGTON, March 7, 1866.

### COPYRIGHT LAW.

Mr. Sumner introduced a petition for an international copyright law, which was referred to the Committee on Foreign Relations.

### MR. CRESSWELL'S ADDRESS.

Mr. Anthony, from the Committee on Printing, reported a resolution for the printing of 6,000 copies of Mr. Cresswell's address on the late Henry Winter Davis, which was adopted.

### CHOLERA PREVENTIVES.

Mr. Sprague offered a resolution, which was adopted, instructing the Committee on Foreign Relations to report a bill to authorize the appointment of a commission of two medical gentlemen, one from the army and one from civil life, to take into consideration the subject of cholera preventives, disinfectants, &c., and also to attend the European Cholera Congress.

### COTTON FRAUDS, &C.

Mr. Davis moved that the Senate take up the resolution offered by him some days since for the appointment of a committee to investigate the charges of fraud against agents of the Cotton Bureau. His wished to offer as a substitute for his resolution a provision for a standing committee of five on "abuse of power," a majority of which shall always be composed of opposition members, and the duty of which shall be to investigate all charges of fraud, corruption, etc.

Mr. Trumbull said that when this subject was up before, a long communication was read from Wm. Burnett of Cincinnati charging Gen. Brayman of Illinois with cotton frauds, while in command at Natchez. He (Trumbull) had since received a letter from Gen. Brayman, which he caused to be read, reflecting upon Mr. Burnett, alleging that he (Burnett) was under arrest at one time for fraud, etc., and demanding a full investigation.

Mr. Grimes said that in Burnett's letter there were reflections upon Gen. Tuttle of Iowa. He had not had an opportunity to communicate with Gen. Tuttle on this subject. He desired, however, to say in vindication of Gen. Tuttle, that two years ago his character was fair and unblemished in the State of which he was a citizen, that he was the Democratic candidate for Governor, and received the whole strength of that party. In vindication of that party, Mr. Grimes said that it was due that he should say here, in their behalf, that they would not consent to give their votes in behalf of a man who stands charged with the offenses in that letter of Mr. Burnett's. So far as he (Grimes) knew or believed, Gen. Tuttle was an honorable and excellent man, and although he was not prepared to say there was no truth in the allegations against him, he was prepared to say that "Mr. Grimes did not believe a word of it."

Mr. Fessenden said that he would object to the appointment of a committee under the resolution of Mr. Davis, because it charged that the frauds were committed by Treasury agents. So far, nothing had been alleged, except against officers of the army.

Mr. Yates said in behalf of Gen. Brayman that he should insist upon the investigation.

The further consideration of the subject was postponed until to-morrow.

### BONDED GOODS.

Mr. Conness moved to take up the bill for extending the time for withdrawing goods from public stores.

Mr. Sprague moved to postpone the bill named by Mr. Conness until the day after to-morrow.

Mr. Conness hoped that would not be done. He hoped a vote would be taken.

Mr. Sprague said his voice was hoarse and he had somewhat of a fever, which would prevent his speaking on the subject, as he desired.

The bill was postponed till Friday next.

### MILITARY PROSECUTIONS.

Mr. Wilson offered the following, which was adopted:

*Resolved*, That the Committee on the Judiciary be directed to inquire what legislation is necessary to protect officers of the army from arrest and prosecution by civil suits for acts done in the execution of the orders of their superior officers during the Rebellion, while they were holding commissions in the Army of the United States, and subject to the rules and articles of war, and that the Committee have leave to report by bill or otherwise.

Mr. Wilson, in offering the above, said that in Kentucky military officers had been prosecuted for doing their duty and obeying orders, and a few days ago Gen. Terry said to him (Wilson) that he (Terry) was about to be prosecuted in Richmond on a similar charge.

### MEANING OF THE REVENUE ACT.

Mr. Sherman called up the bill to declare the meaning of certain parts of the Internal Revenue act of June 30, 1864, which was passed. It provides as follows:

SECTION 1. That in section 120 of the act entitled "An Act to provide internal revenue to support the Government, to pay the interest and for other purposes," approved June 30, 1864, the words, "All dividends in scrip or money thereafter declared due, and whenever the same shall be payable to stockholders, policy-holders and depositors," are hereby declared to mean "all dividends in scrip or money, whenever payable, and all stockholders, policy holders, depositors, or parties whatsoever, including non-residents, whether citizens or aliens."

SEC. 2. That in section 122 of said act the word "stockholders" is hereby declared to mean all persons or parties whatsoever that are or may be stockholders, including non-residents, whether citizens or aliens—and the words "all such interest or coupons, dividends or profits wherever the same shall be payable" are hereby declared to apply to all such interest or coupons, dividends or profits wherever the same are or may be payable, and to whatsoever party or person the same are or may be payable, including non residents, whether citizens or aliens.

SEC. 3. That it shall be the duty of all persons required to make returns or lists of incomes and articles, or objects charged with any duty or tax as provided by the act aforesaid, or any act amendatory thereof, to declare in such returns whether the several rates and amounts therein contained are stated according to their values in legal tender currency, and in case of neglect or refusal so to state to the satisfaction of the Assistant Assessor, he is required to make returns or lists for such persons so neglecting or refusing, as in the case of persons neglecting or refusing to make the lists or returns required by the acts aforesaid, and to assess the duty thereon, and to add thereto the amount of penalties imposed by law in case of such neglect or refusal.

SEC. 4. That whenever the rates and amounts contained in the lists of returns as aforesaid shall be stated in coined money it shall be the duty of each Assessor receiving the same to reduce such rates and amounts to their equivalent in legal tender currency, according to the value of such coined money in said currency, at the time when and the place where said lists or returns are receivable, and which value the said Assessor shall determine, and the lists required by law to be furnished to Collectors by Assessors shall, in all cases, contain the several amounts of taxes or duties assessed, estimated or valued in legal tender currency only.

SEC. 5. That the provisions of this act shall, so far as necessary, apply to all returns, lists, assessments and collections required by the acts aforesaid in addition to those above mentioned, by whomsoever made, returned, assessed or collected in any mode or for any purpose whatever. And the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, is hereby authorized to make all necessary rules and regulations for carrying this act into effect.

The above goes back to the House for concurrence in certain verbal amendments.

### THE CONSTITUTIONAL AMENDMENT.

At one o'clock the pending constitutional amendment on the subject of representation was taken up.

Mr. Sumner said: Mr. President, I hesitate to enter again into this debate, which now, after the interjection of another debate on another question, is again renewed. I do it with unfeigned reluctance, and I hope not to trespass too much on your patience. The question before us, even its simplest form, is of incalculable importance; but it has an added interest, inasmuch as it opens the whole vast subject of Reconstruction. Into this field I shall not be tempted at this time, except to express a short opinion on the general principles we should seek to establish. Treason must be made odious, and to this end power must be secured to loyal fellow-citizens. In doing this two indispensable conditions must not be forgotten. First, all who have been untrue to the Republic must, for a certain time, constituting the transition period, be excluded from the partnership of Government; and secondly, all who have been true to the Government must be admitted into the partnership of Government according to the sovereign rule of the Constitution, which knows no distinction of color. Following these two simple commandments there will be safety and peace together with power and renown. Neglecting these two simple commandments there must be peril and distraction, together with imbecility and dishonor. In the one way reconstruction will be easy. In the other way it will be impossible. This is all I have to say at present on Reconstruction, and I turn at once to the precise question before us. Pardon me, Sir, if I remind you here on the threshold that there are two modes of debate. One is to attack the previous speaker with personality or criticism or of manner; the other is to speak plainly on the question and to deal directly according to your convictions with the principles involved. Sometimes these two modes are allowed to intermingle. If ever there was an occasion when the first should be carefully avoided; when the question alone should be handled, and not the previous speaker; when the attention should be directed exclusively to the principles involved, and not to any subordinate point of mere form, it is now, when we are asked to insert a new provision in the Constitution fixing the basis of political power at the expense of fellow-citizens counted by millions. In this spirit I shall try to say what I have to say. For my mind the occasion is too solemn for personal controversy, and I shall not be drawn into it. The proposition now before you is the most important ever brought before Congress, unless, perhaps, we may except, the amendment abolishing Slavery; and to my mind it is the most utterly reprehensible and unpardonable. The same sentiment which led us to hail the abolition of Slavery with gratitude, as the triumph of justice, should make us reject with indignation a device to crystallize into organic law the disfranchisement of a race. It is with infinite regret that I differ from valued friends about me, but I cannot do otherwise. In exposing such an attempt I must speak frankly, as on other occasions, in exposing the crime against Kansas, or the infamy of that enactment which turned the whole North into a hunting ground, where man was game. The attempt is on a larger scale, and is more essentially bad than the crime against Kansas, or the Fugitive Slave bill. Such a measure, so obnoxious to every argument of reason, justice and feeling, so perilous to the National peace, and so injurious to the good name of the Republic, must be encountered as we encounter a public enemy. There is no language which can adequately depict its character. Thinking of it, I am reminded of those words of Chatham, where he held up to undying judgment a measure of the British Ministry, which I think had already recived the sanction of the House of Commons, as the present attempt has received the sanction of the House of Representatives. Chatham did not hesitate, nor did he tame his words, but exclaimed, "I am astonished, shocked to hear such principles confessed, to hear them avowed in this House, or in this country; principles equally unconstitutional, inhuman, and unchristian. I call upon you to stamp upon them an indelible stigma of public abhorrence." Then, rising to a still higher flight, he exclaimed, "My Lords, I am old and weak, and at present unable to say more, but my feelings and indignation were too strong to have said less. I could not have slept this night in my bed, nor reposed my head on my pillow, without giving this vent to my eternal abhorrence of such preposterous and enormous principles!" But what is the measure which thus aroused the veteran orator compared with that which is now before us. It was only a transient act of wrong, small in its proportions, which he denounced. I am to denounce an act of wrong permanent in its influence, colossal in its proportions, operating in an extensive region, affecting millions of citizens, endangering the peace of the country, and covering its name with dishonor. Such is the character of the present attempt. I exhibit it as I see it. Others may not see it so. The British Ministry did not see the measure which Chatham denounced as he saw, and as history now sees it. Of course, Senators would not support the present proposition if they thought it disgraceful, nor would the British Ministry have supported that earlier proposition had they thought it disgraceful. Unhappily, they did not think so. But, I trust you will be warned by their example. With the eloquence of Chatham, another person, from his place in the House of Lords, denounced the slave system, which, at that time, had the sanction of both Houses of Parliament. I refer to Brougham. He did not hesitate to exclaim, "Prodigious, portentous injustice;" and then continuing, he exclaimed again, "The gross, the foul, the outrageous, the incredible injustice of which we are daily and hourly guilty toward the whole of the ill-fated African race." But how small was the injustice which aroused his execration compared to that which you are now asked to perpetuate in constitutional law. The crime which he arraigned was against 800,000 persons in distant islands to whom the people of Great Britain were bound by no gratitude, and who were to them only fellow men. The crime which I now arraign is against 4,000,000 of persons, constituting a considerable portion of the people of the United States, to whom we are bound by ties of gratitude, and who are to us fellow-citizens. From the moment I first heard this proposition read at the desk, I have been unable to think of it without pain. The reflection that it might find a place in the Constitution, or even that it might be sanctioned by Congress, is intolerable; and this becomes more so when I call to mind the circumstances by which we are surrounded and the exigency of the hour. Lord Bacon tells us that the highest function which man can be called to perform on earth is that of founders of states, or as he expresses it, "conditores imperi." Such is the duty now before us. We are to help in this great work by a fundamental provision which shall fix the basis of our political system for an indefinite future. There are none among the great lawgivers of history who have had a sublimer task. But this duty is enhanced when we consider that it is the consequence and sequel of unparalleled war. At a moment of peace such a duty would be commanding, but it is now reïnforced by exceptional considerations arising from the exceptional condition of affairs. For four years rebellion in the largest proportions known to authentic history raged among us, threatening to rend this Republic in twain. Millions of treasure were sacrificed; lives more precious than any treasure were heaped in hecatombs; families were filled with mourning in the terrible struggle. While the country was bleeding at every pore, and the scales of battle hung doubtful, assistance came from an unexpected quarter. Intermixed with the false men who warred on the Republic were more than 3,000,000 slaves, shut out from rights of all kinds, and compelled to do the bidding of masters. The slaves became our benefactors; they were kind to our captive soldiers; sheltering them, feeding them, supplying their wants; and thus there was in the very heart of the Rebellion a filial throb for the Republic. At last arms were put into the hands of these benefactors; and 200,000 brave allies, representatives of an unmustered host, leaped forward in defense of the national cause. The Republic was saved; the Rebellion was at an end. Meanwhile the good President, who at that time guided our affairs, put forth his immortal proclamation, declaring that these slaves are, and henceforth shall be, free. Not stopping with this declaration, he proceeded to announce that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of such persons. Thus was the Republic solemnly pledged to these benefactors, first by the ties of gratitude that should be enduring, and secondly, by an open promise in the face of the civilized world; and this promise was taken up and adopted by the people of the United States, when by a constitutional amendment they expressly empowered Congress to maintain this freedom by appropriate legislation. And now, sir, called as we are to readjust the foundations of political power, which are materially changed by the disappearance of Slavery, and called also to perform sacred promises to benefactors in harmony with sacred promises of our fathers, while at the same time we save the name of the Republic from dishonor, and see that the national peace is not imperiled. Congress is about to liquidate all these inviolable obligations by a new compromise of human rights, and so far as it can to place the compromise in the text of the Constitution, thus establishing a false foundation of political power, violating the national faith, dishonoring the name of the Republic, and imperiling the national peace. Others have dwelt on the inadequacy of this proposition, even for its avowed purposes, conceived in a desire to do indirectly what ought to be done directly, and thus "by indirection find direction out." It must naturally share the conditions of such a device. Falstaff tells us that "wit may be made a jackanapes when 'tis upon an ill employ;" but what ill employ ever equaled that of this attempt? Looking at this compromise in its most general aspect, it reminds me, if you will pardon the illustration, of that leg of mutton served for dinner on the road from London to Oxford, which Dr. Johnson, with characteristic energy, described as "bad as bad could be, ill fed, ill-killed, ill kept, and ill dressed." So this compromise—I adopt the saying of an eminent friend, who insists that it cannot be called an amendment, but rather a detriment to the Constitution—is as bad as bad can be, and even for its avowed purpose it is uncertain, loose, cracked, and ricketty. Regarding it as a proposition from Congress to meet the unparalleled exigencies of the present hour, it is no better than the muscipular abortion sent into the world by the parturiant mountain. But it is only when we look at the chance of good from it that this compromise is muscipular. Regarding it in every other aspect it is infinite, inasmuch as it makes the Constitution a well-spring of insupportable thraldom, and once more lifts the sluices of blood, destined to run until it comes to the horse's bridle. Adopt it, and you will put millions of fellow-citizens under the ban of excommunication; you will hand them over to a new *anathema maranatha*; you will declare that they have no political rights which white men are bound to respect, thus repeating in a new form that abomination which has blackened the name of Taney. Adopt it, and you will stimulate anew the war of race upon race. Slavery itself was a war of race upon race, and this is only a new form of this terrible war. The proposition is as hardy as it is gigantic, for it takes no account of the moral sense of mankind, which is the same as if in rearing a monument we took no account of the law of gravitation. It is the paragon and master-piece of ingratitude, showing more than any other act of history what is so often charged, and we so fondly deny, that "Republics are ungrateful." The freedmen ask for bread and you send them a stone; with piteous voice they ask for protection; you thrust them back unprotected into the cruel den of their former masters. Such an attempt thus bad as bad can be, thus abortive for all good, thus perilous, thus pregnant with a war of race upon race, thus shocking to the moral sense, and thus treacherous to those whom we are bound to protect, cannot be otherwise than shameful. Adopt it, and you will fix a stigma upon the very name of Republics. As to the imagination there are mountains of light, so are there mountains of darkness, and this is one of them; it is the very Kohinoor of blackness.

After quoting Otis, Franklin, and other authorities on the subject of taxation and representation, Mr. Sumner stated his objections to the pending proposition, and summed them up as follows:

Mr. President, such is the argument for the rejection of the pending proposition. Following it from the beginning you have seen, first how this proposition carries into the Constitution itself the idea of inequality of rights, thus defaming that unspotted text; secondly, how it is an express sanction of the acknowledged tyranny of taxation without representation; thirdly, how it is a concession to State rights at a moment when we are recovering from a terrible war waged against us in the name of State rights; fourthly, how it is the constitutional recognition of an oligarchy, aristocracy, caste, and monopoly founded on color; fifthly, how it embodies the wretched pretensions of a white man's Government; sixthly, how it assumes what is false in constitutional law, that color can be a qualification for an elector; seventhly, how it positively ties the hands of Congress in fixing the meaning of a republican government, so that under the guaranty clause it will be constrained to recognize an oligarchy, aristocracy, caste and monopoly, together with the tyranny of taxation without representation as not inconsistent with such a Government; eighthly, how it positively ties the hands of Congress in completing and consummating the abolition of Slavery in pursuance of the second clause of the constitutional amendment, so that it cannot for this purpose interfere with the denial of the elective franchise on account of color; ninthly, how it installs recreant Rebels in permanent power over loyal citizens; and tenthly, how it shows forth, in unmistakable characters, as a compromise of human rights, the most immoral, indecent and utterly shameful of any in our history. All this you have seen with pain and sorrow I trust. Who that is moved to sympathy for his fellow man can listen to the story without indignation? Who that has not lost the power of reason can fail to see the cruel wrongs? And now the question occurs. What shall be done to this? I answer, reject at once the pending proposition; show it no favor; give it no quarter; let the country see that you are impatient of its presence. But there are other propositions in the form of substitutes. For any one of these I can vote. They may differ in efficiency, but there is nothing in them immoral or shameful. There is nothing in the proposition to found representation on voters instead of population; and secondly, the proposition to secure equality in political rights by constitutional amendment, or by act of Congress. Referring to the proposition to found representation upon voters, Mr. Sumner said: The proposition to found representation on voters instead of population was originally introduced by me during the last Congress. Almost at the same time I introduced a series of resolutions, declaring not only the power but the duty of the United States to guarantee republican governments in the Rebel States on the basis of the Declaration of Independence, so that the new governments should be founded on the consent of the governed, and the equality of all persons before the law. Thus, while proposing to found representation on voters, I at the same time asserted the power of Congress, under the Constitution, to secure equality in political rights. The proposition with regard to voters was much discussed during the recess of Congress. At the beginning of the present session it seemed to find favor. But, at last, statistics were adduced tending to show that it would transfer power from Eastern States to Western States in proportion to the excess of females over males in the latter. And this "abnormal condition" was made an argument against it. Since then, it has given peace to the offensive proposition now before the Senate. The proposition to found representation on votes instead of population, may be seen first in what it does not do, and secondly in what it does do. Seeing it in what it does not do, all will confess that it does not carry into the Constitution itself the idea of inequality of rights, thus defiling that unspotted text; that it gives no sanction to the acknowledged tyranny of taxation without representation; that it makes no concession to State rights at a moment when we are recovering from a terrible war waged against us in the name of State rights; that it does not recognize an oligarchy, aristocracy, caste and monopoly founded on color; that it does not embody the wretched pretension of a white man's government; that it does not assume what is false in constitutional law, that color can be a qualification for a voter; that it does not positively tie the hands of Congress in fixing the meaning of a republican government, so that under the guaranty clause it will be constrained to recognise an oligarchy, aristocracy, caste and monopoly, together with the tyranny of taxation without representation, as not inconsistent with such a government; that it does not positively tie the hands of Congress in completing and consummating the abolition of Slavery in pursuance of the second clause of the constitutional amendment; that it does not install recreant Rebels in permanent power over loyal citizens; that it does not show forth an unmistakable character as a compromise of human rights the most immoral, indecent and utterly shameful of any in our history. All these things, so offensive to the conscience and the reason, this proposition does not do; in all these respects it is at least blameless. On the other hand, without inflicting any stigma upon the Constitution, or upon the Republic, without making any concession to the States, without tieing the hands of Congress, and without any compromise of human rights, it does rearrange the basis of representation so as to accomplish all that is proposed even by the most sanguine supporters of the other proposition, and it does this effectually without the opportunity for evasion which is afforded by the other proposition. The alleged irregularity in its operation, owing to the excess of females over males, in certain States, may make you hesitate to adopt it; but better take representation founded on voters even with any such alleged irregularity than do a grevious wrong. Better even wrong yourselves than wrong others. Representation founded on voters seems to be commended by authority and principle. Its adoption now would at least give symmetry to our national system and make the Representative more precisely the embodied presence of his constituents, while, at the same time, it would tend to enlarge the suffrage and to harmonize sectional pretensions with the national will, when exerted for human rights. If representation were founded on voters, the States would care little if Congress should annul inequality in the elective franchise on account of color. But there are other propositions which, to my mind, are more satisfactory because they reach the special necessities of the hour, and provide the only effectual remedy. Speaking in the name of national justice, and for the national safety, they cannot be put aside with indifference; nor is it wise to say that any measure of justice is not practical—I refer, of course, to the propositions, in different forms, to secure that great guaranty—equality in political rights, by constitutional amendment or by act of Congress, or by both. A constitutional amendment which shall place equality of political rights under the safeguard of a special text may be superfluous, but it is not unconstitutional or immoral. It will be supplementary to provisions already in the Constitution, and will be in the nature of a declaratory statute, removing all doubts and cavils; it will be like an additional force in mechanics, or like a rëenforcement in the field. It will be reduplication in a new form. On such an occasion, where such a cause is in issue, I welcome every alliance, and such I regard the proposition of the Senator from Missouri (Mr. Henderson). The other proposition which looks to the direct action of Congress under the existing Constitution and its amendment, is obviously the simplest and most practical, inasmuch as it deals with the exigency promptly, frankly, and according to the necessities of the hour. It does not undertake to act by induction, nor does it postpone to any indefinite future what cannot be postponed without detriment to the Republic. Refusing to procrastinate, it saves all. Such a proposition is commended by every argument of reason, humanity and patriotism. To say that it is not constitutional is to say that the Constitution itself is not constitutional; for it is derived from the very heart of the Constitution and is filled with all its best life-blood. Something has been said of the form in which the proposition has been presented. There is the bill of the Senator from Illinois (Mr. Yates), which he has maintained in a speech of singular originality and power that has not been answered, and I do not hesitate to say cannot be answered. By this bill it is provided that all citizens in any State or Territory shall be protected in the full and equal enjoyment and exercise of their civil, political rights, including the right of suffrage. This is founded on the consideration that by the abolition of Slavery the slave became at once a citizen, subject only to such disabilities as are common to other citizens; and that by the second clause of the constitutional amendment Congress is empowered to enforce the abolition of Slavery by appropriate legislation. On this foundation the Senator places his bill, assuming that to complete the abolition of Slavery, all restrictions, penalties or deprivations of right resulting from Slavery in any State or Territory must be made to cease. The proposition which I have had the honor of presenting is a joint resolution, which, after declaring the duty of Congress to guarantee a republican form of government in States where the governments have lapsed, and also the duty to complete the abolition of Slavery by the removal of all relics of this wrong, proceeds to provide that there shall be no oligarchy, aristocracy, caste or monopoly, nor any denial of rights, civil or political, on account of color or race, but all persons shall be equal before the law, whether in the court-room or at the ballot box. Not doubting the power of Congress to carry out this principle everywhere within the jurisdiction of the United States, I content myself for the present by asserting it only in the lapsed States lately in rebellion, where the duty to guarantee a republican government and enforce the abolition of Slavery are beyond question. To that extent I now urge it. But the propositions are opposed as informal and inoperative because they are without machinery or penalty; such is the objection if I understand it, as it has been made. I answer each proposition, on its face, is an act of Congress, prohibiting the denial of certain rights on account of color; in this respect each is at least a Congressional interpretation of the Constitution, and it is by no means clear that it could not be enforced in the courts. The bill which has already passed the House of Representatives, striking out the word "white," in the electoral laws of the District of Columbia, is without machinery or penalty, but it is at least a Congressional declaration to be followed of course by other legislation with proper machinery and penalty, and this is the precise character of the proposition presented by the Senator from Illinois and by myself. Of course, the objections to these propositions, if valid at all, must be equally valid against the bill for enfranchisement in the District of Columbia, and against every other Congressional declaration without machinery or penalty. It is, at most, an objection of form which I put aside and advance at once to the substance. The question is too vast, and the times are too serious for a special demurrer. It must be tried on its merits. This question is as to the power of Congress to establish equality of political rights at least in the Rebel States. If Congress has this beneficent power, then exercise it in such form as shall seem best with machinery and penalty, or without machinery and penalty. But in God's name exercise it for the sake of the country which suffers from your delay.

Mr. Sumner next argued the powers of Congress to enfranchise the blacks; and after quoting from Supreme Court decisions to prove that by the abolition of Slavery the blacks of the country became citizens, he said: "Therefore, I do not hesitate to say that when the slaves of our country became citizens, they took their place in the body politic as a component part of the people, entitled to equal rights, and under the protection of these two guardian principles: First, That all just governments stand on the consent of the governed; and, Secondly, That taxation without representation is tyranny; and these rights it is the duty of Congress to guarantee, as essential to the idea of a Republic. The aspiration of Abraham Lincoln in his marvelous utterance at Gettysburg, was that "Government of the people, by the people, and for the people, should not perish from the earth," but who will venture to exclude millions of citizens from the people? If the governments in the Rebel States are brought to this touch-stone it will be found that they must fail. The departure from the true standard is not merely theoretical as it might be regarded in States where the disfranchised are few in number, but there is an absolute failure to come within the conditions required. It is not decent to call a State republican where more than a majority of its people, constituting the larger part of the body politic, is permanently disfranchised. Nor is it decent to call a State republican where any considerable portion of its people, constituting an essential part of its body politic, is permanently disfranchised. Even if, in past times, such a State could have been treated as republican, it will not do to treat it so now. It lacks the vital elements of a republican government, and must be treated accordingly. I do not dwell on this point, for it seems absurd to call it in question. Clearly it is your duty to enforce the guaranty of a republican government. By the oaths you have taken to support the Constitution, you must take care that in all the States where the governments have lapsed, this guaranty shall be carried out. In the performance of this duty, you may proceed either by an enabling act establishing in advance the conditions on which these States shall be restored to their practical relations with the Union, or by an act directly annulling all constitutions and laws of any such States inconsistent with a republican government. The power is in Congress. It has been recognized in formal terms by the Supreme Court, and you are the final judge of the means you shall employ. To say that you have not the power, is to abdicate in a great exigency the very means of salvation; it is to fling away your arms in the very face of the enemy; it is to spike the Constitution at a moment when its full volley is needed for the overthrow of wrong. Clearly, you have the power, and upon your heads will be the fearful responsibility if you fail to exercise it."

In conclusion Mr. Sumner said: Sir, the freedmen must be protected and not sacrificed. You can do it, but only in one way. Paper will not do it. Parchment will not do it. Give to him the strength which comes from the fullness of citizenship and he will then be protected. Do not hesitate to follow principles. They are like those divine promises, which, when properly understood and applied, will answer every case of difficulty or distress, and as in the Pilgrim's Progress, will open any lock in Doubting Castle. Have faith. Difficulties disappear before the earnest man. To the boatman who said it was impossible to brave the storm that was raging, William Tell, full of patriotic purpose, cried out: "I know not whether it be possible, but I know that it must be attempted," and the deliverer reached his destination. The same courage is needed now. The attempt at least must be made, and who can say it will fail? On its side will be Providence, the prayers of good men, nature in her manifold attributes, and the awakened judgment of the civilized world. The time has passed when the spirit of caste can continue to bear sway. See to it, Senators, that this spirit has no foothold in the Constitution of our country. To this duty I summon you now by every obligation of statesmanship, for the sake of the Republic and for your own sakes, to the spirit of caste answer back in the spirit of that Christian truth which you have been taught. Recall the precious words of the early English writer who, describing the good sea captain, tells us that he courts the image of God nevertheless. But the good statesman must be like that good sea captain. His ship is the State, which he keeps safe on its track. He, too, must see the image of God in all his fellow men, and in the discharge of his responsible duties must set his face forever against any recognition of inequality in human hights. Other things you may do but this you must not do.

Mr. Doolittle said that when our fathers placed the clause in the Constitution by which they determined that representation should be apportioned among the several States which may be included within the Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and, excluding Indians not taxed, three-fifths of all other persons, they expected that in a very brief period of time all persons in the United States would be free. In this they were most grievously disappointed. Slavery not only continued, but by its fostering care the number of slaves increased beyond all expectation. And now that the day of crime by an act of force, of revolution, of civil war; now that Slavery had gone down in blood, stricken down by the hand of those who were its professed friends—for they opened this civil war which brought Slavery to its end—now the question arises whether this disturbance of the basis of representation by an act of war, by the crime of the South, requires an amendment to the Constitution. The apprehension which lies at the bottom and which leads many persons to seek for an amendment is substantially this: They say the South is guilty of this crime of bringing on the civil war. The slaves have been set free as a consequenee of the war. And shall the South reap a benefit from its own wrong doing? Shall the South go into a rebellion against the Government, in consequence of which her slave population is set free and the basis of her representation increased? Shall she reap the advantage of her own crime? That is the question. Now, Mr. President, before I go any further I desire to call attention to some facts which I think will show that this apprehension of an increase of the basis of representation will prove without foundation. The destruction of the population, both white and black, within these States, during the civil war, has been most enormous. Of the whole population there were in those States, according to the census of 1860, 1,600,000 males of 20 years of age and over; undoubtedly one-third of that whole white population of male persons over 20 years of age have perished. As to the black population, we have not the specific facts upon which we can make a positive and emphatic calculation; but we have facts stated to us upon the very highest authority—estimates made by gentlemen who have had the means of knowing, if it is possible for any human being to know, that the actual destruction of the black population since 1860 has been at least 25 per cent of the whole population. High officers of our army state this, and give as their opinion, without any qualification, that at least 25 per cent, one million out of the four, have perished already. Gov. Aiken of South Carolina, who was recently in Washington, made a statement upon this subject, and his opinion is entitled to the highest consideration. It is known by all that he was one of the largest slaveholders in the State of South Carolina, if not the largest. He has lived in that section of country during the whole of this civil war, and his means of knowing are very extended. He states most unequivocally that more than 1,000,000 of the blacks have perished, or more than 25 per cent. The Hon. Randall Hunt of the City of New-Orleans—and I refer to him because he is, a Union man, and has been, as I understand, during the whole of this trouble—who has lived there his whole life, states also that beyond question 25 per cent of them have perished.

Mr. Doolittle having shown, as he thought, that the representation of the South would not be increased, argued in favor of repesentation according to the number of voters.

Mr. Morrill rose to address the Senate, but, on motion of Mr. Johnson, further consideration of the subject was postponed till to-morrow at 1 o'clock.

### COLORADO.

Mr. Ramsey moved that the Senate take up the bill for the admission of Colorado.

Mr. Sumner—I hope it will not be proceeded with now.

Mr. Ramsey—I hope we shall at least give it one reading at present, and thus proceed from time to time till we get through with it. Senators are here waiting for action of this kind. It is due to them to give it one reading at least.

Mr. Clark did not suppose the bill could be considered in full to-night. The Senate ought to set an early day for its consideration.

Mr. Ramsey—This is the earliest possible day the Senate can consider it, and I hope will consider it now.

Mr. Wilson said the constitutional amendment was now pending and it would be better to dispose of that first. The Colorado bill was not likely to pass without discussion, therefore he hoped the Senate would go into executive session.

Mr. Trumbull spoke in favor of taking up the Colorado bill. The Senate could proceed as far as possible with it this evening, and so, from time to time, until passed. He would express no opinion at this time, as to whether Colorado had formed her State constitution in accordance with the enabling act, which entitles her to admission.

Mr. Sumner hoped the bill would not be taken up to-night. He had prepared an amendment which he intended to offer to it, but he had not brought it with him to-day. He had received several letters from Colorado which he desired to read when the bill was up, but he was not prepared to do so now.

The bill was taken up, read a second time, and made the special order for Monday next at 1 o'clock.

After the consideration of private bills the Senate, at 5 o'clock p. m., adjourned.

## HOUSE OF REPRESENTATIVES.

### COURT OF CLAIMS.

On motion of Mr. Wilson (Iowa), the Senate bill in relation to the Court of Claims was taken from the Speaker's table, read twice, and referred to the Judiciary Committee.

### THE FREEDMEN'S BUREAU.

Mr. Eliot (Mass.), by unanimous consent, introduced a bill to continue in force and to amend the Freedmen's Bureau bill, which was read twice and referred to the Judiciary Committee.

### REIMBURSEMENT OF PENNSYLVANIA.

Mr. Stevens (Pa.), from the Committee on Appropriations, reported a bill to reimburse the State of Pennsylvania for moneys advanced the Government for war purposes, which was read twice and referred to the Committee of the Whole, and made a special order for next Wednesday.

### REIMBURSEMENT OF MISSOURI.

On motion of Mr. Lyon (Mo.) the Senate bill to reimburse the State of Missouri for moneys expended for the United States in enrolling and provisioning the militia forces to aid in the suppression of the Rebellion, was taken from the Speaker's table and referred to the Committee on Appropriations.

### IMPORTANT CANAL PROJECT.

Mr. Francis Thomas (Md.), by unanimous consent, offered a resolution, which was read twice and adopted, instructing the Committee on the District of Columbia

See Fifth Page.